



**The Commonwealth of Massachusetts**

---

**DEPARTMENT OF  
TELECOMMUNICATIONS AND ENERGY**

**ORDER OF NOTICE**

D.T.E. 06-27

March 9, 2006

Petition of The Berkshire Gas Company for approval by the Department of Telecommunications and Energy, pursuant to G.L. c. 164, § 94A, for approval of a gas sales agreement between The Berkshire Gas Company and Coral Energy Resources, L.P.

---

The Berkshire Gas Company ("Company") shall, no later than fourteen (14) days prior to March 28, 2006, give notice of said hearing by publication hereof in the Berkshire Eagle and in either The Boston Globe or the Boston Herald. The Company shall also serve a copy of the notice no later than fourteen (14) days prior to March 28, 2006, on the gas suppliers and retail agents active in the Company's service territory. The Company shall make return of service and publication at the time of the public hearing.

By Order of the Department

/s/  
Mary L. Cottrell, Secretary



# **The Commonwealth of Massachusetts**

## **DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

### **NOTICE OF FILING AND PUBLIC HEARING**

D.T.E. 06-27

March 9, 2006

Petition of The Berkshire Gas Company for approval by the Department of Telecommunications and Energy, pursuant to G.L. c. 164, § 94A, for approval of a gas sales agreement between The Berkshire Gas Company and Coral Energy Resources, L.P.

---

On February 28, 2006, pursuant to G.L. c. 164, § 94A, The Berkshire Gas Company ("Berkshire" or "Company") filed with the Department of Telecommunications and Energy ("Department") a petition for approval and authorization to enter into a gas sales agreement ("Agreement") with Coral Energy Resources, L.P. ("Coral"). The Agreement will provide the Company with firm delivered gas supply of 7,500 MMBtus per day for each heating season through the 2007/2008 heating season and 5,000 MMBtus per day for each heating season thereafter through the 2011/2012 heating season. The Agreement covers a period in excess of one year and therefore is subject to the Department's jurisdiction under G.L. c. 164, § 94A.

The Department will examine issues including, but not limited to, whether the Agreement is in the public interest and whether the Agreement is consistent with the Company's most recently filed forecast and supply plan.

The Department will conduct a public hearing on Tuesday, March 28, 2006 at 2:00p.m. at the Department's offices, One South Station, 2<sup>nd</sup> Floor, Boston, Massachusetts. The public hearing will be immediately followed by a procedural conference. Any person who desires to comment may do so at the public hearing or submit written comments to the Department not later than the close of business (5:00 p.m.) on Friday, March 24, 2006.

Any person seeking to intervene or to participate in this proceeding must file a written petition for leave to intervene with the Department not later than the close of business (5:00 p.m.) on March 24, 2006. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

An original and five (5) copies of all written comments or petitions to intervene must be filed with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station, 2<sup>nd</sup> Floor, Boston, Massachusetts 02110 not later than the close of business on the dates noted above. One copy of all written comments or petitions to intervene should also be sent to Berkshire's attorney, James Avery, Esq., Brown Rudnick Berlack Israels, LLP, One Financial Center, Boston, Massachusetts 02111.

All written pleadings or comments should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us) and [john.j.keene@state.ma.us](mailto:john.j.keene@state.ma.us), or (2) on a 3.5" disk, in IBM-compatible format. The text of the e-mail or the disk label must specify: (1) an easily identifiable case caption (2) the docket number of the proceeding (D.T.E. 06-27), (3) name of the person or company submitting the filing, and (4) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. Text responses should be created in either WordPerfect, Microsoft Word, or as an Adobe-compatible PDF file. Data or spreadsheet responses should be compatible with Microsoft Excel. Documents submitted in electronic format will be posted on the Department's web site: <http://www.mass.gov/dte>.

The Company's filings may be inspected at the Department's offices during normal business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m.). Copies are also on file for public view at The Berkshire Gas Company, 115 Cheshire Road, Pittsfield, Massachusetts 01202. Any person desiring further information regarding the Company's filing should contact Berkshire's attorney, James Avery, Esq., at 617-856-8112. Any person desiring further information regarding this notice should contact John Keene, Hearing Officer, Department of Telecommunications and Energy at 617-305-3624.